S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4546/2007
(Shri Udailal and Ors. Vs. State of Rajasthan)

DATE OF ORDER : 17/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.S.Rathore for the petitioners.
Mr. Ashok Upadhayay, Public Prosecutor for State.

Heard learned counsel for the petitioners and Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that similarly situated co-accused Narayan Lal and Lala who were named in the FIR have been granted bail and the case of the present petitioners is not distinguishable from that of the co-accused.

Looking to the facts and circumstances of the case and the fact that similarly situated co-accused have been granted bail by this Court, having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioners under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioners u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Shri Udailal S/o Shri Bothu Ji, Shri Sohanlal S/o Shri Hajari Aheer, Shri Banshilal S/o Shri Shobhalal Aheer and Shri Dinesh Chandra S/o Shri Shobhalal Aheer in FIR No. 203/2007, P.S. Gangrar (Chittorgarh), they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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